

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
NORTHERN DIVISION

KRISTIN MARIE SMITH, AND LLOYD SMITH, Plaintiffs, v. TOYOTA MOTOR CORPORATION, TOYOTA MOTOR SALES, U.S.A., INC. Defendants.	Cause No. 12:16-CV-24
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**DEFENDANTS TOYOTA MOTOR CORPORATION AND TOYOTA MOTOR
SALES, U.S.A., INC.'S SUPPLEMENTAL EXHIBIT TO
MOTION TO EXCLUDE EXPERT TESTIMONY**

Defendants Toyota Motor Corporation and Toyota Motor Sales, U.S.A., Inc. (Toyota Defendants) file this Supplemental Exhibit to the Toyota Defendants' Motion to Exclude Expert Testimony (Doc. No. 58). Attached as Exhibit 3 is the Declaration of previous vehicle owner Jon Sell regarding vehicle modifications he made to the subject 1997 Toyota 4Runner.

Respectfully submitted,

/s/ DAVID P. STONE

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TOYOTA MOTOR SALES, U.S.A., INC.

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing was electronically served on all counsel of record via the Court's ECF system, this 12th day of March, 2018, to the following counsel of record:

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/s/ DAVID P. STONE

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EXHIBIT 3

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
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KRISTIN MARIE SMITH,
AND LLOYD SMITH,
Plaintiffs,

v.

TOYOTA MOTOR CORPORATION,
TOYOTA MOTOR SALES, U.S.A., INC.
Defendants.

Cause No. 12:16-CV-24

DECLARATION OF JON SELL

Jon Sell states the following:

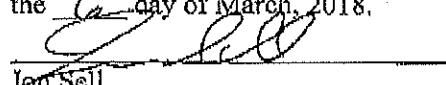
1. I am over 18 years old, of sound mind and am capable of providing this Declaration. The information set forth in this Declaration is personally known to me or based on my review of materials available to me, unless otherwise stated or attributed to others, and is true and correct.

2. I previously owned a 1997 Toyota 4Runner, Vehicle Identification Number JT3HN87R3V0109359 ("the 4Runner"). I purchased the 4Runner used from an individual in Texas and owned it for several years before I sold it to Lloyd Smith in approximately 2009.

3. While I owned the 4Runner, I installed larger tires on the vehicle. I also believe that while installing the larger tires I installed leaf spring spacers on the suspension. I believe that I replaced those larger tires with the original sized tires prior to selling the 4Runner to Lloyd Smith. I do not remember removing the leaf spring spacers from the suspension.

My name is Jon Sell, my date of birth is 1-29-1967,
and my address is 4396 Westwind Dr Winnebago, IL 61088
in the United States of America. I declare under penalty of perjury
that the foregoing is true and correct.

Executed in Winnebago County, State of Illinois, on
the 6th day of March, 2018.


Jon Sell